

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

GEORGE D. McCARLEY,)
)
)
Plaintiff,)
) Civil Action No. 3:06-cv-00091-MEF
v.) Lead Case
)
)
HOUSEHOLD FINANCE)
CORPORATION III, et al.,)
)
)
Defendants.)

RULE 26 REPORT OF PARTIES' PLANNING MEETING

Pursuant to Fed. R. Civ. P. 26(f), a telephone conference between Plaintiff George D. McCarley ("Plaintiff") and George R. Parker, counsel for Defendants HSBC Mortgage Services, Inc.; Household International Inc.; HSBC Gr. Corp.; HSBC Finance Corporation and Household Finance Corporation III ("Defendants"), was held on March 14, 2007.

The parties were unable to reach an agreement regarding proposed deadlines and a trial date. Therefore, the parties have submitted their individually prepared proposed reports of the parties' planning meeting for the court's review. The parties' proposals are attached as follows:

I. PLAINTIFF'S PROPOSAL –

FORM 35 REPORT OF PARTIES PLANNING MEETING

1. Pursuant to Fed. R. Civ. P. 26(f), materials were exchanged with a telephone conference prior to March 16, 2007. It being clear there are considerable differences between trial calendar expectations of the parties (April 2007 expected by Plaintiff and April 2008 expected by defendant), we are submitting the Form 35 for each party with intentions of discussion at March 23 scheduling conference.

Participants in pre-planning were:
George McCarley for plaintiff(s)
George Parker, Bradley Arant for defendant(s)

2. Pre Discovery Disclosures. Plaintiff has provided pre-discovery requests by separate submittal to defendant, in advance of March 23 meeting, as required by Fed R. Civ. P. 26(a)(1)
3. Discovery Plan. Plaintiff proposes the following list of subjects for discovery with intent of being prepared for April 2007 trial.

Discovery will be needed on the following:

- Full disclosure of identities, locations, financial parameters of defendant corporations.
- Employment status determination of key defendant individuals on contractors in chain of events
- Full Disclosure of Mergers and Acquisitions or dissolution activity of defendant corporations
- Defendant recital of continuing enforcement details of class action decree
- Defendant recital of continuing enforcement details of US Treasure/Iraq sanctions
- Defendant recital of history of HSBC
- Defendant acknowledgement or denial of RESPA Mortgage violations
- Defendant acknowledgement of accounting violations
- Defendant acknowledgement or denial of violation Alabama Law statutes
- Defendant review of dates of Merger/Acquisition /Dissolutions, Legal Paper filing, Billing records
- Defendant disclosure of fiduciary or financial relationships with Assignee/Law firms
- Defendant review of all RESPA disclosure statutes infringed
- Defendant review of Qualified Letter of Complaint and associated communications
- Defendant provision of complete billing summary with explanations
- Miscellaneous questions to defendant

All Discovery commenced in time to be complete by March 30, 2007.

Maximum Interrogatories to be determined at conference, responses within 10 days.

Maximum depositions to be determined at conference, with response within 10 days.

Each deposition limited to 2 hours unless extended by mutual agreement.

Report from retained experts under Rule 26(2)(2) due in time for April 2007 trial.

Probate Court Recordation expert

Consumer Lending Fraud expert

Damages expert

Mortgage level white collar crime, retire FBI agent

4. Other Items

The parties request a conference with the court prior to entry of scheduling order.

Pretrial conference is requested prior to start of trial.

Plaintiff should be allowed until 30 days prior to trial to join additional parties to.

Plaintiff or to amend the pleadings.

Defendant should be allowed same.

All potentially dispositive motions should be filed within April 2007.

Settlement likelihood is high if defendant closely reviews pre-disclosure items requested and realizes their error.

Final list of witnesses and exhibits under Rule 26(a)(3) due in time for April 2007 trial.

Witness list planned above

Exhibit list planned (draft)

- Qualified Letter of Complaint and correspondence with Alabama AG
- Total Corporations involved in Mortgage
- Total identities utilized by defendant
- Probate recordation deficiencies/illegalities
- Disclosure points violated leading to consumer fraud (and 12 USC 1833a)
- Totality of disclosure violations (identity, contract, charges, billing)
- Defendant Alabama state registration failure(s)
- Mortgage Broker/Initiator anomalies (scam level)
- HSBC forced default methodology (common law precedent violations)
- HSBC motive and opportunity to destroy McCarley (plaintiff)
- HSBC industry comparative statistics
- HSBC opium wars history
- HSBC Iraq sanctions violations with Iraq Cuba, Sudan, Libya
- HSBC guilt in Largest class action settlement in history

From Plaintiff by April 2007

From Defendant by April 2007

Parties should have 5 days after service of final lists of witnesses and exhibits to list objections under Rule 26(a)(3).

The case should be prepared for trial by April 2007 and at this time is expected to take 5 days.

II. DEFENDANTS' PROPOSAL –

REPORT OF PARTIES' PLANNING MEETING

1. Pursuant to Fed.R.Civ.P. 26(f), the following have conferred regarding proposed deadlines in this case and Defendants submit the following report:

George D. McCarley, Pro Se; and

George R. Parker Esq., representing Defendants HSBC Mortgage Services, Inc.; Household International Inc.; HSBC Gr. Corp.; HSBC Finance Corp. and Household Finance Corp. III.

2. **Pre-Discovery Disclosures.** The parties shall exchange the information required by Rule 26(a)(1) within 21 days of the entry of the Court's scheduling order.
3. **Discovery Plan.** The Defendants propose the following discovery plan:
 - (1) All discovery commenced in time to be completed by February 28, 2008
 - (2) Maximum of 8 depositions for the Plaintiff and 8 depositions for the Defendants, with a maximum time limit of 8 hours per deposition, unless extended by agreement of the parties.
 - (3) Maximum of 45 Interrogatories by each party to any other party, with responses due within thirty days after service.
 - (4) Maximum of 20 Requests for Admissions by each party to any other party, with responses due within thirty days after service.

- (5) Maximum of 30 Requests for Production by each party to any other party, with responses due within thirty days after service.
- (6) Supplements under Fed.R.Civ.P. Rule 26(e), are due 30 days before the close of discovery.

4. Other Items.

- (1) The Defendants do not request a conference with the Court before entry of the scheduling order.
- (2) Reports from retained experts under Rule 26(a)(2) F.R.C.P. are due from the plaintiff by October 22, 2007, and any such experts shall be made available for deposition by no later than November 5, 2007. Reports from retained experts from the defendants are due by November 20, 2007, and any such experts shall be made available for deposition by not later than December 5, 2007.
- (3) The Defendants request a pretrial conference on March 17, 2008.
- (4) All potentially dispositive motions should be filed by December 18, 2007.
- (5) Any motions to amend the pleadings or to join additional parties should be filed within 30 days of the entry of the Court's scheduling order.
- (6) Settlement and mediation cannot realistically be evaluated until the parties conduct further discovery.
- (7) Final list of trial witnesses and exhibits under Fed.R.Civ.P. 26(a)(3) must be served and filed:
 - a. By the Plaintiff: 30 days before trial; and
 - b. By the Defendants: 30 days before trial.
- (8) Objections are to be filed within 15 days after receipt of final list.
- (9) This case should be ready for trial at the April 28, 2008 term.

(10) Trial is expected to last 2-3 days.

Jointly submitted this the 16th day of March, 2007:

/s/ George D. McCarley
George D. McCarley, Pro Se
216B Chestnut Street
Roanoke, AL 36274

/s/ George R. Parker
George R. Parker (PAR086)
Bradley Arant Rose & White LLP
The Alabama Center for Commerce
401 Adams Avenue, Suite 780
Montgomery, AL 36104

ATTORNEYS FOR DEFENDANTS
HSBC Mortgage Services, Inc.;
Household International Inc.; HSBC
Gr. Corp.; HSBC Finance Corporation
and Household Finance Corporation III

CERTIFICATE OF SERVICE

I hereby certify that on March 16, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

None.

and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants:

George D. McCarley, Pro Se
216B Chestnut Street
Roanoke, AL 36274

/s/ George R. Parker
OF COUNSEL